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09/964,076

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Dwip N. Banerjee

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04/27/2005

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EXAMINER

PYZOCHA, MICHAEL J

ART UNIT

PAPER NUMBER

2137

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/964,076

Applicant(s)

BANERJEE ET AL.

Examiner

Michael Pyzocha

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2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>09262001</u> . | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

1. Claims 1-28 are pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 8-14, 20-26, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall et al (US 5898831), and further in view of Carlson et al (US 2002/0071416).

As per claims 1, 13 and 25, Hall et al discloses activating a stationary personal area network (PAN); in response to a determination that a wireless mobile PAN has entered a service area of the stationary PAN, offering a network access provider service for the wireless mobile PAN, wherein the network access provider service allows the wireless mobile PAN to connect to a global communication network via the stationary PAN (see column 4 lines 42-50, 65 through column 5 line 15).

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Hall et al fails to disclose in response to a user input indicative of acceptance of the offered network access provider service, monitoring a session for the wireless mobile PAN on the network access provider service.

However, Carlson et al teaches such a monitoring (see paragraph 37 and paragraph 17).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Carlson et al's method of monitoring in the PAN of Hall et al.

Motivation to do so would have been that Carlson et al's method allows the user to find the best deal from all service providers (see paragraph 44).

As per claims 2, 14, and 26, the modified Hall et al and Carlson et al system discloses generating a financial transaction to charge fees to a user of the wireless mobile PAN for use of the network access provider service during the monitored session (see Carlson et al paragraph 17).

As per claims 8, 20 and 28, the modified Hall et al and Carlson et al system discloses presenting for discovery by the wireless mobile PAN a set of one or more services supported by the stationary PAN, wherein the network access provider service is one of the services supported by the stationary PAN; and

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starting a session with the network access provider service (see Hall et al column 7 lines 7-22).

As per claims 9 and 21, the modified Hall et al and Carlson et al system discloses registering a user of the wireless mobile PAN as a user of the network access provider service (see Carlson et al paragraph 53).

As per claims 10 and 22, the modified Hall et al and Carlson et al system discloses receiving financial identification information from the user of the wireless mobile PAN for payment for use of the stationary PAN (see Carlson et al paragraph 53).

As per claims 11 and 23, the modified Hall et al and Carlson et al system discloses presenting use of a peripheral device connected to the stationary PAN as a service in the set of one or more services supported by the stationary PAN (see Hall et al column 7 lines 7-22); and charging a usage fee to the user of the wireless mobile PAN in response to use of the peripheral device (see Carlson et al paragraph 52).

As per claims 12 and 24, the modified Hall et al and Carlson et al system discloses generating a financial transaction to share fees received from use of the network access provider service with an operator of a service that

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supports the network access provider service (see Carlson et al paragraph (see Carlson et al paragraph 52)).

4. Claims 3-7, 15-19 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Hall et al and Carlson et al system as applied to claims 1, 13, and 25 above, and further in view of Nordman et al (US 2002/0174073).

As per claims 3, 15, and 27, the modified Hall et al and Carlson et al system fails to disclose creating a secure communication channel via the communication network.

However, Nordman et al teaches the creation of a secure channel (see paragraph 245).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Nordman et al's method of creating a secure channel in the modified PAN service system of Hall et al and Carlson et al.

Motivation to do so would have been to all for the use of the TCP/IP protocol in the secure channel.

As per claims 4 and 16, the modified Hall et al, Carlson et al, and Nordman et al system discloses receiving from a user of the wireless mobile PAN an indication of an address or resource identifier for the remote PAN (see Hall et al column 9 lines 11-20).

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As per claims 5 and 17, the modified Hall et al, Carlson et al, and Nordman et al system discloses the remote PAN is a wireless mobile PAN (see Hall et al column 5 lines 1-15).

As per claims 6 and 18, the modified Hall et al, Carlson et al, and Nordman et al system discloses sharing data between the wireless mobile PAN and the remote PAN through a peer-to-peer application (see Hall et al column 3 lines 41-65).

As per claims 7 and 19, the modified Hall et al, Carlson et al, and Nordman et al system discloses detecting the wireless mobile PAN by the stationary PAN, wherein the stationary PAN comprises a master device; and establishing a wireless communication link between the wireless mobile PAN and the master device of the stationary PAN such that the wireless mobile PAN joins a piconet or scatternet supported by the master device of the stationary PAN (see Hall et al as applied above and Nordman et al paragraph 107).

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Orava (US 6829288) discloses the use of a piconet, Bacchiaz et al (US 20020059523) discloses the use of a WPAN, Angwin et al (US

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20020138633) discloses the use of a WPAN, and Gunter et al (US 20020162018) discloses the management of a PAN.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MJP

  
**ANDREW CALDWELL**  
**SUPERVISORY PATENT EXAMINER**